

REMARKS

Non-elected Claims 1-18 and 27-31 are cancelled pending their possible filing in one or more divisional applications. Applicant hereby confirms election of Claims 19-26.

Claims 19-27 were rejected as being anticipated by U.S. Patent No. 6,611,249 (Evanicky et al.) "Evanicky". Evanicky states:

The host computer then adjusts the white balance of the flat panel LCD monitor and/or the gamma values of the RGB colors according to any discrepancies between the constructed optical characteristics and the reference optical characteristics until a precise match is achieved. (column 4, lines 12-16)

In contrast, amended Claim 19 describes adjusting the color channels of a display to change the color white on the display to visually match a reference, in which such adjusting is carried out by the user to establish a visual match between the adjusted color of white on the display and a reference for the color white on a surface. Evanicky neither describes, nor suggests such, but actually teaches away from the user providing a visual match of color by relying on a computer to perform such adjustment as set forth at column 4, lines 12-16 (recited above). Moreover, Claim 19 describes providing a reference for the color white on a surface. The user in carrying out the adjusting step uses such white color reference. Evanicky does not describe, or even suggest, the use of any surface providing a reference for the color white. Instead, Evanicky uses a set of reference optical characteristics stored in its host computer in adjusting the white balance of a monitor. Accordingly, Evanicky cannot anticipate Claim 19 where it lacks the user establishing the adjusted white balance, and further does even provide a reference for the color white on a surface to enable the user to visually match the color of white on the display with such color white reference. Therefore, withdrawal of the rejection of Claim 19 along with its dependent Claims 20-26 is requested.

Page 1 of the specification has been amended to update the patent number of a referenced application. Page 5 is amended to correct a typographical error in a referenced application, as evident from the same referenced application at page 1, line 13, and elsewhere in the application. Claim 24 is amended to improve language of the claim.

New Claims 32-42 are added to the Application. Claim 32-38 depend on base Claim 19. Claim 39 is an independent claim patentable over Evanicky. Claims 40-42 depend on Claim 39.


New Claims 43-46 have also been added to the Application. Claim 43 describes a user visually matching one or more aspects of a hard-copy image with a digitally displayed image corresponding to such hard-copy image, and then measuring one or more of gamma, tone reproduction, and neutral balance of the digital image. It is appropriate for Claim 43 to be examined along with Claim 19, since both claims relate to user visually matching a monitor or display with another reference. In Claim 43, such reference is a hard-copy image, and in Claim 19 the reference is a white color surface. Claims 44-46 depends on Claim 43.

Applicant submitted a Sixth Supplemental Information Disclosure Statement on September 23, 2004, which did not appear to be considered by the Examiner in the Office Action of October 1, 2004. Please confirm that the references listed on this Information Disclosure Statement have been considered.

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Respectfully submitted,

A handwritten signature in black ink, appearing to read 'K. LuKacher', written over a horizontal line.

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